

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

FILED

SEP 11 2012

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

JEFFREY NEELY,

Plaintiff.

v.

**PSEG TEXAS, LP AND PUBLIC
SERVICE ENTERPRISE GROUP
INCORPORATED**

Defendants.

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CIVIL ACTION NO. 7:10-CV-00030-RAJ

Jury Demanded

FINAL JUDGMENT AFTER JURY TRIAL

This action came on regularly for trial on August 27, 2012, through August 29, 2012, in the United States District Court for the Western District of Texas, Midland-Odessa Division, the Honorable Robert Junell presiding. Appearance at trial was made for Plaintiff Jeffrey Neely ("Neely") by attorney Holly Williams. Appearances at trial were made for Defendants PSEG Texas, LP and Public Service Enterprise Group Incorporated (collectively, "PSEG") by attorneys Victor N. Corpuz and Taylor E. White.

A jury of eight (8) persons was regularly impaneled and sworn. Witnesses were sworn and testified. After hearing the evidence and arguments of counsel, the jury was duly instructed by the Court and the cause was submitted to the jury. The jury deliberated and thereafter returned a verdict as follows:

On Neely's ADA – Termination claim, the jury answered “No” to the question, “Was Plaintiff a qualified individual with a disability?” On Neely's ADA – Failure to Accommodate claim, the jury answered “No” to the question, “Was Plaintiff a qualified individual with a disability?” On Neely's ADA – Retaliation claim, the jury answered “No” to

the question, "Did Defendants take an adverse employment action against Plaintiff because Plaintiff engaged in protected activity?"

No further questions were answered by the jury.

It appearing by reason of said verdict that a take-nothing judgment is entered in favor of Defendants PSEG Texas, LP and Public Service Enterprise Group Incorporated and against Plaintiff Jeffrey Neely.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendants PSEG Texas, LP and Public Service Enterprise Group Incorporated have and recover all taxable costs from Plaintiff Jeffrey Neely.

This judgment finally disposes of all parties and all claims and is appealable.

SIGNED this 11 day of September 2012.



THE HONORABLE ROBERT JUNELL

APPROVED AS TO FORM:

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